

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814
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November 27, 1984

ALL-COUNTY LETTER NO. 84-122

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: PERIODIC (6 MONTH) COURT REVIEWS AND PERMANENCY PLANNING HEARINGS (PPH)

REFERENCE: ACL 83-88, 83-79 and 83-41

SB 1293, Chapter 1608, which was signed into law as an urgency measure effective September 30, 1984, will ensure that periodic reviews will be conducted in compliance with federal requirements. This new act, under certain conditions, adds to the dispositional hearing requirements contained in Welfare and Institutions Code (WIC) Section 361(e). At the time of the original dispositional hearing, the juvenile court must also conduct a periodic case review using the criteria required by WIC Section 366(a) if: (1) the minor has previously been taken from the custody of his or her parent(s) or guardian(s) and has been living in an out-of-home placement pursuant to WIC Section 319, or 2) the minor has been living in a voluntary out-of-home placement pursuant to WIC Section 16507.4.

WIC Section 366(a) sets forth the criteria which the court must consider when conducting a periodic court review:

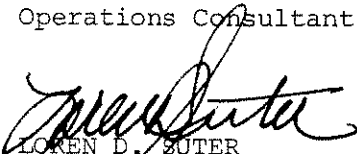
"The court shall determine the continuing necessity for and appropriateness of the placement, the extent of compliance with the case plan, and the extent of progress which has been made toward alleviating or mitigating the causes necessitating placement in foster care, and shall project a date by which the child may be returned to the home or placed for adoption or legal guardianship."

For children who are detained prior to disposition, the combined dispositional/periodic review hearing will satisfy the federal requirement of conducting periodic reviews beginning within six months of placement. For children who are not detained prior to disposition, the dispositional hearing will be conducted as in the past with no additional review criteria. In either circumstance, the child's case will continue to be reviewed no less frequently than once every six months from the point of original disposition. When the period between detention and disposition of a case is longer than six months, that case is out of compliance with federal periodic review requirements

and is ineligible for foster care or child welfare services funding until a dispositional/periodic review hearing pursuant to WIC Section 361 has been held.

A change in WIC Section 366.25(a) requires the permanency planning hearing (PPH) to be held within 12 months of original disposition which is consistent with current Judicial Council rules. However, all cases in the Family Reunification Program must receive a PPH no later than 18 months from original placement (i.e., placement per WIC Section 319 or WIC Section 16507.4). Cases in which the PPH is not completed within 18 months of original placement are out of compliance until the PPH has been completed.

If you have questions please contact your Adult and Family Services Program Operations Consultant at (916) 322-6671 or ATSS 492-6671.



LOREN D. BUTER
Deputy Director